

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

Case No: _____

GREGORY STENSTROM, LEAH HOOPES, ROBERT MANCINI, JOY SCHWARTZ, KATHRYN BUCKLEY, SCOTT EDWIN THOMAS, ERIK KOCHER, CARRIS KOCHER, PAUL RUMLEY, JON MARIETTA, GENO GALLO, MELANIE PATTERSON, SUSANNA DEJEET, MICHAEL MILLER, BRIAN YANOVIK, FELICE FEIN, JEANNE WHITE, SEAN PATRICK CONNOLLY, ASHLEY DUFF, DARLENE SMAIL, CARRIE HAHN, RENEE MAZER, MARTY SELKER, JOHN PROCTOR CHILD, Petitioners

v.

PENNSYLVANIA SECRETARY OF THE COMMONWEALTH, Respondent.

[PROPOSED] ORDER GRANTING DECLARATORY JUDGMENT

This matter having come before the Court on Petitioners' **Complaint for Declaratory Judgment** and **Motion for Expedited Consideration**, and the Court having considered the submissions of the parties and the urgent nature of the legal questions presented, IT IS HEREBY ORDERED as follows:

I. DECLARATORY RELIEF GRANTED

The Court finds that the **PA Secretary of the Commonwealth** has failed to comply with federal and state election laws in the following respects:

1. Failure to Certify Voting Machines and Conduct Secure-Build Validation:

The Court declares that the Secretary's failure to certify voting machines and complete secure-build validation violates **52 U.S.C. § 21081(a)(5)** and applicable state election laws, including **25 P.S. §§ 2650 and 2687**.

2. Distribution of Mail-in Ballots to Unqualified Electors:

The Court declares that the Secretary's actions in distributing mail-in ballots to unqualified electors violate **52 U.S.C. § 20511**, which prohibits the willful solicitation or submission of ballots from unqualified individuals.

3. Failure to Permit Judges of Elections (JOEs) to Audit Ballot Boxes:

The Court declares that the Secretary's refusal to allow JOEs to audit ballot boxes and reconcile hand-counted results with electronic voting machine totals violates **state election law** and transparency obligations.

II. JUDGMENT IN FAVOR OF PETITIONERS

IT IS FURTHER ORDERED that judgment is entered in favor of the Petitioners as follows:

1. **Certification and Validation of Voting Machines:**

The Secretary is required to ensure that all voting machines used in the upcoming election are certified and secure-build validation is completed in compliance with **federal law**.

2. **Distribution of Mail-in Ballots:**

The Secretary must ensure that mail-in ballots are distributed only to qualified electors as defined by federal and state law. Any ballots sent to unqualified electors must be withdrawn from the counting process.

3. **Authorization for JOEs to Audit Ballot Boxes:**

The Secretary is ordered to allow JOEs in all precincts to audit ballot boxes and reconcile hand-counted results with machine totals. The audit process must be transparent and open to certified poll watchers and authorized representatives.

4. **Meaningful Access for Poll Watchers and Authorized Representatives:**

The Secretary must ensure that certified poll watchers and authorized representatives have meaningful access to observe the processing of mail-in ballots, the audit of ballot boxes, and the reconciliation of vote totals.

5. **Transparency in Centralized Counting Centers:**

The Court declares that centralized counting centers must adhere to the same transparency standards as precinct-level polling locations. Authorized observers must be allowed to oversee all stages of the counting process.

III. ORDER FOR EXPEDITED IMPLEMENTATION

IT IS FURTHER ORDERED that the PA Secretary of the Commonwealth shall immediately implement the terms of this Order and ensure compliance with all federal and state election laws before the upcoming election.

IV. CONTINUING JURISDICTION

The Court shall retain jurisdiction over this matter to ensure full compliance with this Order, including the certification of machines, distribution of mail-in ballots, and auditing of ballot boxes.

IT IS SO ORDERED.

Date: _____

[Judge's Name] _____
United States District Judge